

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:	:	
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LANDSOURCE COMMUNITIES	:	Bankruptcy Case No. 08-11111 (KJC)
DEVELOPMENT, LLC, et al.,	:	
	:	
Debtors.	:	
	:	
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CITIZENS AGAINST CORPORATE	:	
CRIME,	:	
	:	
Appellant,	:	
	:	
v.	:	C. A. No. 18-1793-CFC
	:	
LENNAR CORPORATION.,	:	BAP 18-53
	:	
Appellee.	:	

RECOMMENDATION

At Wilmington this 20th day of **December, 2018**.

WHEREAS, pursuant to paragraph 2(a) of the Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District dated September 11, 2012, the court conducted an initial review, which included information from counsel, to determine the appropriateness of mediation in this matter;

WHEREAS, as a result of the above screening process, the issues involved in this case are not amenable to mediation and mediation at this stage would not be a productive exercise, a worthwhile use of judicial resources nor warrant the expense of the process.

Due to the relief granted by the Bankruptcy Court, an order directing the

dismissal of a civil case in California, neither party believes mediation is appropriate for this matter. Neither Appellant nor Appellees are nor were previously involved in any ADR process.

The parties request that the following briefing schedule be entered:

Appellant's Opening Brief	January 14, 2019
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Appellee's Answering Brief	March 15, 2019
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THEREFORE, IT IS RECOMMENDED that, pursuant to paragraph 2(a) Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court. No objections are anticipated to this Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), FED. R. CIV. P. 72(a) and D. DEL. LR 72.1 because the Recommendation is consistent with the parties' request.

Local counsel are obligated to inform out-of-state counsel of this Order.

/s/ Mary Pat Thyng
Chief U.S. Magistrate Judge Mary Pat Thyng